

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEHMAN BROTHERS
HOLDINGS INC.,
Plaintiff

v.

GATEWAY FUNDING
DIVERSIFIED MORTGAGE
SERVICES, L.P.
Defendant

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CIVIL ACTION
No. 11-6089

ORDER

AND NOW, this 25th day of April, 2013, the following is **ORDERED**:

1. Defendant's Motion for Summary Judgment (Dkt. No. 34) is **DENIED**.
2. Plaintiff's Motion for Summary Judgment (Dkt. No. 33) is **DENIED** as explained more fully in the accompanying memorandum.

s/Anita B. Brody

ANITA B. BRODY, J.

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to: